

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Cherie Antoinette Hobson,)	Case No. 6:14-cv-3906-TLW-KFM
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
Carolyn W. Colvin, Commissioner of)	
Social Security Administration,)	
)	
Defendant.)	
)	

Plaintiff Cherie Antoinette Hobson brought this action pursuant to 42 U.S.C. § 405(g) to obtain judicial review of Defendant Commissioner of the Social Security Administration's final decision denying her claim for disability insurance benefits. (ECF No. 1.) This matter is before the Court for review of the Report and Recommendation (R&R) filed by United States Magistrate Judge McDonald, to whom this case was assigned pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(a), D.S.C. In the R&R, the Magistrate Judge recommends that this Court remand the case for further administrative proceedings. (ECF No. 22.) Defendant filed objections to the R&R (ECF No. 24), and Plaintiff replied to those objections (ECF No. 25). This matter is now ripe for decision.

In conducting this review, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court

is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted).

In light of the standard set forth in *Wallace*, the Court reviewed *de novo* the Magistrate Judge's R&R, Defendant's objections, and Plaintiff's reply. After careful consideration, the R&R is **ACCEPTED**. Defendant's objections are **OVERRULED**. For the reasons articulated by the Magistrate Judge, this action is **REMANDED** for further administrative action consistent with the R&R.

IT IS SO ORDERED.

s/ Terry L. Wooten
Terry L. Wooten
Chief United States District Judge

February 9, 2016
Columbia, South Carolina